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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

DOCKETED

MAR - 4 2010

COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

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AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
UTILITY SYSTEMS, LLC, DBA GARDNER
WATER COMPANY FOR A PERMANENT RATE
INCREASE.

DOCKET NO. W-20459A-08-0167

IN THE MATTER OF THE APPLICATION OF
UTILITY SYSTEMS, LLC, DBA CHRISTOPHER
CREEK HAVEN WATER COMPANY FOR A
PERMANENT RATE INCREASE.

DOCKET NO. W-20459A-08-0168

PROCEDURAL ORDER
CORRECTING ERROR IN
DECISION NO. 71446
NUNC PRO TUNC

BY THE COMMISSION:

On December 23, 2009, the Arizona Corporation Commission ("Commission") issued Decision No. 71446, which granted rate increases to Utility Systems, LLC, d/b/a Gardner Water Company and Utility Systems, LLC, d/b/a Christopher Creek Haven Water Company.

On December 30, 2009, a Procedural Order was issued correcting a clerical error. The *Nunc Pro Tunc* Procedural Order corrected the clerical error found on page 41, line 23, of Decision No. 71446, changing the "Late Charge—Per Month 1.5%," to "Late Charge—Per Month \$5.00."

On January 5, 2010, a second *Nunc Pro Tunc* order was issued correcting clerical errors found on page 42, lines 1.5 through 3.5 as follows:

- (a) Per Commission Rule A.A.C. R14-2-403(B).
- (b) Residential—two times the average bill. Non-residential—two and one-half times the average bill.
- (c) Minimum charges times number of months disconnected.
- (d) 1.00% of Monthly Minimum for a Comparable Sized Meter Connection, but no less than \$5.00 per month. The Service Charge for Fire Sprinklers is only applicable for service lines separate and distinct from the primary water service line.

On February 10, 2010, Staff filed a Motion for an Order Amending Decision No. 71446 *Nunc Pro Tunc*. In its Motion, Staff requested additional *Nunc Pro Tunc* corrections to the Decision. First, Staff requested a correction to an error in the Service Line and Meter Installation Charges reflected in

Staff's schedules. Staff requested that that charges stated on page 41, line 14.5 should include the following:

	<u>Service Line</u>	<u>Meter Installation</u>	<u>Total</u>
3"	\$1,045.00	\$1,670.00	\$2,715.00
4"	\$1,490.00	\$2,670.00	\$4,160.00
6"	\$2,210.00	\$5,025.00	\$7,235.00

Staff stated that the Company does not have any customers with these meter sizes and the Company has no objection to the requested corrections.

Staff's second requested correction is that the Deferred Payment (Per Month) listed on page 41, line 22, currently listed as \$5.00, should instead be listed as 1.5% in accordance with Exhibit A attached to the Decision.

Finally, Staff requests that the Monthly Service Charge for Fire Sprinkler, 4" or smaller, 6", 8", 10", and larger than 10", listed on page 41, line 24, which currently reference note "(c)" should properly reference note "(d)" for calculation of reestablishment charges.

Accordingly, the errors listed above should be corrected *Nunc Pro Tunc*.

IT IS THEREFORE ORDERED that the clerical errors discussed above should be corrected as follows:

The Service Line and Meter Installation Charges listed on Page 41 of the Decision should include the following:

	<u>Service Line</u>	<u>Meter Installation</u>	<u>Total</u>
3"	\$1,045.00	\$1,670.00	\$2,715.00
4"	\$1,490.00	\$2,670.00	\$4,160.00
6"	\$2,210.00	\$5,025.00	\$7,235.00

The Deferred Payment (Per Month) listed on page 41, line 22 should be listed as 1.5%.


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1 The Monthly Service Charge for Fire Sprinkler, 4" or smaller, 6", 8", 10", and larger than
2 10", listed on page 41, line 24, should reference note "(d)" for calculation of reestablishment charges.

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4 DATED this 2nd day of March, 2010.

5 
6 BELINDA A. MARTIN
7 ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 2nd day of March, 2010, to:

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19 By: 
20 Belinda A. Martin